



# Journal of the House

State of Indiana

122nd General Assembly

First Regular Session

First Day

Tuesday Afternoon

November 17, 2020

The members-elect of the House of Representatives of the General Assembly of the State of Indiana assembled in the House Chambers in the State House in the City of Indianapolis on Tuesday, the seventeenth day of November, 2020, A.D., at 1:00 p.m., being the day fixed by law, IC 2-2.1-1-2, for the convening of the first regular session of the General Assembly, viz:

"The first regular session of each term of the general assembly shall convene on the third Tuesday after the first Monday of November of each even-numbered year to do the following:

- (1) Organize itself.
- (2) Elect its officers.
- (3) Receive the oath of office."

The invocation was offered by Pastor Matt Barnes of the Public Servants' Prayer in Indianapolis, a guest of Speaker-elect Todd M. Huston.

The House was called to order by The Honorable Connie Lawson, Secretary of State.

The Pledge of Allegiance to the Flag was led by Representative Hal Slager.

## FILLING VACANT LEGISLATIVE OFFICES

June 15, 2020

The Honorable Todd Huston  
Speaker of the House  
Indiana House of Representatives  
200 W. Washington Street  
Indianapolis, IN 46204

Dear Speaker Huston,

Please be advised that this letter shall serve as my official written notice of resignation from the General Assembly of the State of Indiana, in accordance with IC 5-8-3.5-1.

I hereby resign my position as a State Representative for House District 100, effective immediately.

It has been the greatest honor and privilege of my life to have served the people of House District 100 and the State of Indiana.

Sincerely,  
Daniel P. Forestal  
State Representative  
House District 100 June 15, 2020

John Zody, Chairman  
Indiana Democratic Party  
115 W. Washington Street, Suite 1165  
Indianapolis, IN 46204

Dear Chairman Zody,

This letter serves as the official notice of the resignation of State Representative Dan Forestal (District 100) per Indiana Code § 5-8-3.5-1 (a)(2)(B) and Indiana Code § 5-8-3.5-1(b). Attached you will find Representative Forestal's letter stating that his resignation is effective immediately.

Please do not hesitate to contact me if you need additional information.

Very truly yours,  
Todd Huston, Speaker  
Indiana House of Representatives  
121<sup>st</sup> Indiana General Assembly

Enclosure (above) June 28, 2020

Speaker Todd Huston  
Indiana House of Representatives  
200 W. Washington Street  
Indianapolis, IN 46204

Dear Speaker Huston,

In accordance with IC 3-13-5-6, I hereby certify that at a caucus called to fill the vacancy for State Representative in House District 100, was held on June 27, 2020. Marion County Democratic Chair Kate Sweeney Bell served as Chair of the caucus, and Councilor R. Blake Johnson of Indianapolis was selected by members of that caucus to fill the vacancy for State Representative in House District 100.

Please let me know if you have any questions or need more information.

Sincerely,  
John Zody  
Chair  
June 29, 2020

The Honorable Connie Lawson  
Indiana State Secretary of State  
201 State House  
Indianapolis, IN 46204

Dear Secretary Lawson,

This is to officially notify you that this office has received from the Indiana Democrat State Chairman a copy of the certification of the election of R. Blake Johnson to represent State House District 100, filling the vacancy created by the resignation of Dan Forestal. Representative Johnson was duly elected on June 27, 2020, in a caucus of precinct committee persons in District 100.

Sincerely,  
Todd Huston, Speaker  
Indiana House of Representatives  
121<sup>st</sup> Indiana General Assembly

**CERTIFICATE OF SELECTION  
TO STATE LEGISLATIVE OFFICE  
TO THE HONORABLE TODD HUSTON  
SPEAKER OF THE INDIANA  
HOUSE OF REPRESENTATIVES**

WHEREAS, A vacancy occurred in the office of Indiana State Representative, District 100, due to the resignation of the Honorable Daniel Forestal, who was elected to that office as a candidate of the Indiana Democratic Party;

WHEREAS, On June 27, 2020, a caucus composed of Democratic Party precinct committeemen from Indiana House District 100 selected Blake Johnson to fill the vacancy in Indiana House District 100;

WHEREAS, John Zody, Chairman of the Indiana Democratic Party, certified the selection of Blake Johnson to fill the vacancy in office of Indiana State Representative, District 100, to the Speaker of the House of Representatives and the Speaker of the House Representatives acknowledged receipt of the certification;

WHEREAS, The Speaker of the House of Representatives forwarded the aforesaid certification to the Secretary of State, in accordance with Indiana Code 3-13-5-6; and

WHEREAS, Pursuant to Indiana Code 3-13-5-7, the Secretary of State is required to certify the individual selected to fill a vacant legislative office: NOW, THEREFORE,

AS THE DULY ELECTED AND ACTING INDIANA SECRETARY OF STATE, I certify that the Honorable Blake Johnson has been selected to fill the vacancy existing in the office of Indiana State Representative, District 100.

*Given under my hand and the Seal of the State of Indiana, at the City of Indianapolis, this thirteenth day of July, 2020, being the 244th year of the Independence of the United States, and the 204th year of the Statehood of Indiana.*

CONNIE LAWSON  
Indiana Secretary of State

**FILLING VACANT LEGISLATIVE OFFICES**

District 88

July 16, 2020

The Honorable Todd Huston  
Speaker of the House  
Indiana House of Representatives  
200 W. Washington Street,  
Indianapolis, IN 46204

Dear Speaker Huston,

Please accept this letter as formal notification that I am tendering my resignation as the State Representative for District 88 effective as of July 31, 2020. It has been my sincere honor and privilege to serve the citizens of the State of Indiana for more than 34 years, and to serve with you and so many other distinguished colleagues. It has also been my great pleasure to serve the constituents of District 88 for so many years to the very best of my ability.

My sincere thanks are extended to my fellow members of the General Assembly, the House of Republican leadership team, and the outstanding staff of the General Assembly and the Legislative Services Agency. Without these dedicated public servants, our state would not be leading the nation in so many categories, even in these challenging times.

I wish you and the State of Indiana continued success and I look forward to watching what the coming years will bring for our great Hoosier home.

Sincerely yours,  
Brian C. Bosma  
State Representative  
House District 88

cc: The Honorable Eric Holcomb, Governor  
The Honorable Suzanne Crouch, Lt. Governor  
The Honorable Rodrick Bray, President Pro Tem  
Caroline Spotts, Principal Clerk

July 17, 2020

Kyle Hupfer, Chairman  
Indiana Republican Party  
101 West Ohio Street, Suite 2200  
Indianapolis, IN 46204

Dear Chairman Hupfer,

This letter serves as the official notice of the resignation of State Representative Brian Bosma (District 88) per IC § 5-8-3.5-1(a)(2)(B) and IC § 5-8-3.2-1(b). Attached you will find Representative Bosma's letter stating that his resignation is effective July 31, 2020.

Please do not hesitate to contact me if you need additional information.

Very truly yours,  
Todd Huston, Speaker  
Indiana House of Representatives  
121<sup>st</sup> Indiana General Assembly

Enclosure (above)

**CERTIFICATION OF  
APPOINTMENT TO A VACANT  
STATE LEGISLATIVE OFFICE**

**TO THE HONORABLE TODD M. HUSTON  
SPEAKER OF THE HOUSE OF REPRESENTATIVES:**

WHEREAS, A vacancy occurred in the office of Indiana State House District 88, on July 31, 2020, due to the resignation of Representative Brian Bosma, who was elected to office as a candidate of the Indiana Republican Party;

WHEREAS, The duly elected and acting state chairman of the Indiana Republican Party set the place, date and time of a caucus comprised of the eligible precinct committeemen from Indiana House District 88 and sent a notice by first class mail to all precinct committeemen in the caucus at least ten (10) days before the date of the meeting, setting forth the purpose, place, date and time of the meeting;

WHEREAS, The state chairman or his duly appointed designee presided over the aforesaid caucus, which was conducted on August 19, 2020.

WHEREAS, The caucus, voting by secret ballot, and a majority vote of those casting a vote for the candidate, selected an individual who resides within House District 88 to fill this vacancy;

WHEREAS, The individual selected to fill the aforesaid vacancy had filed a declaration of candidacy with the chairman of the caucus, and had previously filed a statement

of economic interests under Indiana Code 2-2.1-3-2 with the Principal Clerk of the House of Representatives, at least seventy-two (72) hours before the time fixed for the caucus, all as required by Indiana Code 3-13-5-3;

WHEREAS, Under Indiana Code 3-13-5-6, the state chairman is required to certify the name of the individual selected under Indiana Code 3-13-5-1 to fill this vacancy to the Speaker of the Indiana House of Representatives; and

WHEREAS, Under Indiana Code 3-13-5-6, the Speaker of the Indiana House of Representatives is required to acknowledge receipt of this certification, submit a copy of the certificate to be included in the Journal of the Indiana House of Representatives on the day when the individual is seated, (or if this certificate is received after the adjournment *sine die* of the General Assembly, on the first day that the Indiana House of Representatives is in session following receipt of this certificate), and immediately forward the certificate to the Secretary of the State of Indiana: NOW, THEREFORE,

**AS THE DULY ELECTED  
AND ACTING CHAIRMAN OF THE  
INDIANA REPUBLICAN STATE COMMITTEE,**

- (1) I certify that Chris Jetter was selected by the aforesaid caucus to fill the vacancy existing in the Office of the Indiana House of Representatives, District 88;
- (2) I request that the Speaker of the House of Representatives acknowledge receipt of this Certificate by his signature below as provided for by Indiana Code 3-13-5-6;
- (3) I request that the Speaker of the House of Representatives include a copy of this Certificate in the Journal of the Indiana House of Representatives as provided in Indiana Code 1-3-5-6; and
- (4) I request that this Certificate be immediately forwarded to the Secretary of State, as provided by Indiana Code 3-13-5-6.

CERTIFIED, THIS THE 27th DAY OF AUGUST, 2020:

Kyle Hupfer,  
Indiana Republican State Chairman

**ACKNOWLEDGMENT OF RECEIPT BY THE  
SPEAKER OF THE HOUSE OF REPRESENTATIVES**

I hereby acknowledge receipt of this Certificate by my signature below this twenty-eighth day of August, 2020.

Signed: Todd Huston  
Speaker of the Indiana House of Representatives

**NOTIFICATION TO  
SECRETARY OF STATE**

August 28, 2020

The Honorable Connie Lawson  
Indiana Secretary of State  
201 State House  
Indianapolis, IN 46204

Dear Secretary Lawson:

This is to officially notify you that this office has received from the Chair of the Indiana Republican Committee, a copy of the certification of the election of Chris Jetter to represent State House District 88, filling the vacancy created

by the resignation of Brian Bosma. Representative Chris Jetter was duly elected on August 19, 2020, in a caucus of precinct committee persons in District 88.

Sincerely,  
Todd Huston  
Speaker of the House

**CERTIFICATE OF SELECTION  
TO STATE LEGISLATIVE OFFICE**

**TO THE HONORABLE TODD HUSTON  
SPEAKER OF THE INDIANA  
HOUSE OF REPRESENTATIVES**

WHEREAS, A vacancy occurred in the office of Indiana State Representative, District 88, due to the resignation of the Honorable Brian Bosma, who was elected to that office as a candidate of the Indiana Republican Party;

WHEREAS, On August 19, 2020, a caucus composed of Republican Party precinct committeemen from Indiana House District 88 selected Chris Jetter to fill the vacancy in Indiana House District 88;

WHEREAS, Kyle Hupfer, Chairman of the Indiana Republican Party, certified the selection of Chris Jetter to fill the vacancy in office of Indiana State Representative, District 88, to the Speaker of the House of Representatives and the Speaker of the House Representatives acknowledged receipt of the certification;

WHEREAS, The Speaker of the House of Representatives forwarded the aforesaid certification to the Secretary of State, in accordance with Indiana Code 3-13-5-6; and

WHEREAS, Pursuant to Indiana Code 3-13-5-7, the Secretary of State is required to certify the individual selected to fill a vacant legislative office: NOW, THEREFORE,

AS THE DULY ELECTED AND ACTING INDIANA SECRETARY OF STATE, I certify that the Honorable Chris Jetter has been selected to fill the vacancy existing in the office of Indiana State Representative, District 88.

*Given under my hand and the Seal of the State of Indiana, at the City of Indianapolis, this thirty-first day of August, 2020, being the 244th year of the Independence of the United States, and the 204th year of the Statehood of Indiana.*

CONNIE LAWSON  
Indiana Secretary of State

Representative-elect Chris Jetter was sworn into office on August 26, 2020 by Chief Justice Rush. The oath of office is: "I, Chris Jetter do solemnly swear that I will support the Constitution of the United States of America and the Constitution of the State of Indiana, and that I will faithfully and impartially discharge my duties as a member of the House of Representatives of the General Assembly of the State of Indiana to the best of my skill and ability, so help me God."

*Sworn before me, Chief Justice Rush, this twenty-sixth day of August, 2020.*

Representative-elect Blake Johnson was sworn into office on July 10, 2020 by Justice Geoffrey Slaughter. The oath of office is "I, Blake Johnson, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Indiana, and that I will faithfully and impartially

discharge my duties as a member of the House of Representatives of the General Assembly of the State of Indiana to the best of my skill and ability, so help me God.”

*Sworn before me, Justice Geoffrey Slaughter, the tenth day of July, 2020.*

### ROLL CALL OF MEMBERS

The Secretary of State directed that the roll be called and the following members-elect answered to their names:

**(R) David H. Abbott** (District 82, Allen, Elkhart, LaGrange, Noble, and Whitley Counties)

**(D) Mike Andrade** (District 12, Lake County)

**(D) Terri Jo Austin** (District 36, Madison County)

**(R) Mike Aylesworth** (District 11, Lake and Porter Counties)

**(R) Bradford J. Barrett** (District 56, Wayne County)

**(R) Stephen R. Bartels** (District 74, Crawford, Dubois, Orange, Perry, Spencer Counties)

**(D) John L. Bartlett** (District 95, Marion County)

**(D) Maureen Bauer** (District 6, St. Joseph County)

**(R) Robert W. Behning** (District 91, Hendricks and Marion Counties)

**(R) Bruce Borders** (District 45, Daviess, Greene, Knox, Sullivan, and Vigo Counties)

**(D) Pat Boy** (District 9, LaPorte and Porter Counties)

**(R) Timothy N. Brown** (District 41, Boone, Montgomery, and Tippecanoe Counties)

**(D) Chris Campbell** (District 26, Tippecanoe County)

**(R) Martin J. Carbaugh** (District 81, Allen County)

**(R) Robert W. Cherry** (District 53, Hancock and Madison Counties)

**(R) Edward D. Clere** (District 72, Floyd County)

**(R) Tony Cook** (District 32, Delaware, Grant, Howard Hamilton, Madison and Tipton)

**(R) Michelle Davis** (District 58, Johnson County)

**(R) Steven J. Davisson** (District 73, Clark, Harrison, Jackson, Lawrence, Orange, and Washington Counties)

**(D) Edward O. DeLaney** (District 86, Marion County)

**(R) Dale R. DeVon** (District 5, St. Joseph County)

**(R) Sean R. Eberhart** (District 57, Bartholomew, Hancock and Shelby Counties)

**(R) Jeff Ellington** (District 62, Daviess, Greene, Martin, and Monroe Counties)

**(R) Karen Engleman** (District 70, Clark, Floyd, and Harrison Counties)

**(D) Sue E. Errington** (District 34, Delaware County)

**(D) Rita Fleming** (District 71, Clark County)

**(R) Randall L. Frye** (District 67, Dearborn, Decatur, Jefferson, Jennings, Ohio, Ripley, and Switzerland Counties)

**(D) Philip K. GiaQuinta** (District 80, Allen County)

**(R) Charles D. Goodrich** (District 29, Hamilton County)

**(R) Mitch Gore** (District 89, Marion County)

**(R) Douglas L. Gutwein** (District 16, Fulton, Jasper, Newton, Pulaski, and Starke Counties)

**(D) Carey Hamilton** (District 87, Marion County)

**(D) Earl Harris** (District 2, Lake County)

**(D) Ragen H. Hatcher** (District 3, Lake County)

**(D) Ryan D. Hatfield** (District 77, Vanderburgh County)

**(R) Bob A. Heaton** (District 46, Clay, Monroe, Owen, and Vigo Counties)

**(R) Matthew D. Hostettler** (District 64, Gibson, Knox, Pike, Posey, and Vanderburgh Counties)

**(R) Todd M. Huston** (District 37, Hamilton County)

**(D) Carolyn Jackson** (District 1, Lake County)

**(R) John Jacob** (District 93, Johnson and Marion Counties)

**(R) Christopher Jeter** (District 88, Hamilton, Hancock, and Marion Counties)

**(D) Blake Johnson** (District 100, Marion County)

**(R) Jack Jordan** (District 17, Fulton and Marshall Counties)

**(R) Christopher N. Judy** (District 83, Allen and Whitley Counties)

**(R) Michael H. Karickhoff** (District 30, Grant and Howard Counties)

**(D) Sheila A. Klinker** (District 27, Tippecanoe County)

**(R) Ryan Lauer** (District 59, Bartholomew County)

**(R) Cindy Ledbetter** (District 75, Pike, Spencer, and Warrick Counties)

**(R) Donald J. Lehe** (District 25, Carroll, Cass, Clinton, Tippecanoe, and White Counties)

**(R) Matthew S. Lehman** (District 79, Adams, Allen, and Wells Counties)

**(R) Daniel J. Leonard** (District 50, Allen, Huntington and Wells Counties)

**(R) Shane Lindauer** (District 63, Daviess, Dubois, Martin, and Pike Counties)

**(R) Jim T. Lucas** (District 69, Bartholomew, Jackson, Jefferson, and Jennings Counties)

**(R) Randy Lyness** (District 68, Dearborn, Franklin, and Union Counties)

**(R) Ethan E. Manning** (District 23, Cass, Fulton, and Miami Counties)

**(R) Chris D. May** (District 65, Brown, Jackson, Johnson, Lawrence, and Monroe Counties)

**(R) Peggy M. Mayfield** (District 60, Monroe and Morgan Counties)

**(R) Wendy M. McNamara** (District 76, Posey and Vanderburgh Counties)

**(R) Doug Miller** (District 48, Elkhart County)

**(D) Justin W. Moed** (District 97, Marion County)

**(R) Robert D. Morris** (District 84, Allen County)

**(R) Alan P. Morrison** (District 42, Clay, Fountain, Parke, Vermillion, Vigo, and Warren Counties)

**(D) Charles "Chuck" A. Moseley** (District 10, Porter County)

**(R) Sharon K. Negele** (District 13, Benton, Fountain, Jasper, Montgomery, Newton, Tippecanoe, Warren, and White Counties)

**(R) Curt Nisly** (District 22, Elkhart and Kosciusko Counties)

- (D) **Julie Othoff** (District 19, Lake and Porter Counties)  
 (D) **Renee Pack** (District 92, Marion County)  
 (D) **Zach Payne** (District 66, Clark, Jefferson, and Scott Counties)  
 (D) **Tonya Pfaff** (District 43, Vigo County)  
 (D) **Matt Pierce** (District 61, Monroe County)  
 (D) **Gregory W. Porter** (District 96, Marion County)  
 (R) **J.D. Prescott** (District 33, Blackford, Delaware, Jay, and Randolph Counties)  
 (R) **Jim Pressel** (District 20, LaPorte and Starke Counties)  
 (D) **Cherrish S. Pryor** (District 94, Marion County)  
 (D) **Elizabeth Rowray** (District 35, Delaware and Madison Counties)  
 (R) **Thomas E. Saunders** (District 54, Henry, Rush, and Wayne Counties)  
 (R) **Donna Schaibley** (District 24, Boone and Hamilton Counties)  
 (D) **Robin C. Shackleford** (District 98, Marion County)  
 (D) **Hal Slager** (District 15, Lake County)  
 (R) **Benjamin C. Smaltz** (District 52, Allen, Dekalb, and Steuben Counties)  
 (D) **Vernon G. Smith** (District 14, Lake County)  
 (R) **Craig Snow** (District 18, Grant, Kosciusko, Miami, and Wabash Counties)  
 (R) **Edmond L. Soliday** (District 4, Porter County)  
 (R) **Michael R. Speedy** (District 90, Marion County)  
 (R) **Gregory E. Steuerwald** (District 40, Hendricks County)  
 (R) **Christy Stutzman** (District 49, Elkhart County)  
 (D) **Vanessa J. Summers** (District 99, Marion County)  
 (R) **Jeffrey A. Thompson** (District 28, Boone and Hendricks Counties)  
 (R) **Jerry Torr** (District 39, Hamilton County)  
 (R) **Heath R. VanNatter** (District 38, Carroll, Cass, Clinton, and Howard Counties)  
 (R) **Ann Vermilion** (District 31, Blackford, Delaware, Grant, and Wells Counties)  
 (R) **Timothy C. Wesco** (District 21, Elkhart and St. Joseph Counties)  
 (R) **John T. Young** (District 47, Johnson and Morgan Counties)

Roll Call 1: 93 present; 7 excused -[(R) Beau Baird (District 44, Clay, Morgan, Owen, Parke, Putnam Counties), (D) Ryan M. Dvorak (District 8, LaPorte and St. Joseph Counties), (R) Dave Heine (District 85, Allen County), (R) Holli Anne Sullivan (District 78, Vanderburgh and Warrick Counties), (D) Jake Teshka (District 7, St. Joseph County), (R) Dennis J. Zent (District 51, LaGrange and Steuben Counties), and (R) Cindy M. Ziemke (District 55, Decatur, Fayette, Franklin, Ripley, and Rush Counties)]. The Speaker announced a quorum in attendance.

## ORGANIZATION OF THE HOUSE

The Secretary of State called for nominations for Speaker of the House and recognized Representative Matthew Lehman for a nomination.

"Madam Secretary, I hereby nominate Todd M. Huston to be Speaker of the House of Representatives for the 122nd General Assembly."

Representative Steuerwald seconded the nomination.

## HOUSE MOTION

Madam Secretary of State: I move that the nominations for Speaker be closed and that Representative Todd M. Huston be elected Speaker of the House of Representatives for the 122nd Indiana General Assembly by acclamation.

## GIAQUINTA

Motion prevailed. The Secretary of State declared Representative Todd M. Huston elected Speaker of the House of Representatives for the 122nd General Assembly by acclamation.

The oath of office was administered by Chief Justice Rush, which oath is as follows:

"I, Todd M. Huston, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Indiana and that I will faithfully and impartially discharge my duties as Speaker of the House of Representatives of the General Assembly of the State of Indiana to the best of my skill and ability, so help me God."

## OPENING REMARKS BY TODD M. HUSTON

Thank you, Chief Justice, for your leadership of the courts during these extraordinary times. And thank you, Secretary Lawson, and congratulations on leading Indiana successfully in administering fair and safe elections both in June and November. And members of this body, thank you for your support of me in assuming the position of Speaker. My admiration for you and this institution is great, and I will attempt to serve it every day with the respect it and you deserve.

I want to make a personal thank you to my wife, Denise. She is an amazing woman, who makes me a better follower of Christ, husband, father and friend. I always say neither of us are perfect, but we're perfect together. I am so glad God has blessed me with her in my life.

When we were last in this Chamber on March 11, none of us could have imagined what the next eight months would've been in store for us as individuals, for our families, our community, our state, our nation and this world. It's no exaggeration to say these have been extraordinary times. I remember leaving this Chamber believing something historic could be taking place. I severely underestimated the magnitude of the impact of COVID-19.

I want to acknowledge the loss of Hoosiers due to the pandemic and the pain suffered by their loved ones. My words certainly can't console those grieving, but please know that you have been in the thoughts and prayers of so many of us across all of our state.

I want to thank all of the incredible health care professionals who continue on the front lines of the battle against the pandemic. Doctors, nurses and so many others in hospitals and health care facilities across the state have fought and are fighting so hard for each of us. I thank you for your unwavering commitment and extend my great appreciation for your work. While we do not know how long COVID-19 will be among us and inflict us, we are comforted by knowing the compassionate and outstanding care you are providing to us and our loved ones.

I've also found it interesting that we are all living through this same experience together, and yet somehow it seems like it's

divided us even more. And that just simply is a shame. Instead of supporting each other, too often we have used the pandemic to judge others, their motives and their behaviors. As an institution, let's rise above that and support one another and our constituents during these times. I'm sure there will be disagreements on actions and behaviors, but before we condemn, let us seek to understand each other. If we take that momentary pause to understand, it will make the conversations and discussions that follow much, much better.

As we continue to adjust to living life amid a pandemic, we would be foolish not to consider what we've learned from it and what we can do better. We should never strive to return to a life similar to that of March 11, 2020, as that would mean we did not learn from one of the most monumental and informative experiences of our lifetime.

In Indiana, sadly, we have learned that our poor public health has a disproportionate negative impact during a global pandemic. We have to create incentives and policies to help Hoosiers be healthier, and the House Republican Caucus will bring legislation forward this session to do just that.

We have also learned the nimbleness and flexibility needed to ensure children have access to high-quality education, no matter what the circumstances. I want to thank and publicly commend the superintendents, school leaders, principals, teachers, students and families at all types of schools who have worked so hard since March to provide an education for our students. I sincerely thank you. We will continue to support full funding this academic year for all of our K-12 schools.

We also must acknowledge that education in a pandemic shows us why we need a wide array of educational options for all students, and we will work diligently to provide more of those options for families in the future. Our students have faced an incredibly challenging eight months, and we must do everything we can to help them get back on track for the successful educational outcome they and their families desire.

The economic impact of the pandemic has taught us the value of having a strong reserve to ensure the state can continue to fund critical services like education, infrastructure, public safety, Medicaid and other essential government functions. Our strong financial positioning has been a dramatic difference between us and other states on how we have been able to handle the economic fallout from COVID-19. Dr. Brown will be working with all the members of the Ways and Means Committee to pass another balanced budget that prepares Indiana for whatever times might come ahead of us. The budget will be tight, but we'll make investments in things like broadband, which has proven critical in providing virtual education and telehealth. As proven in the past eight months, being financially thoughtful and conservative is not frugality, it is imperative.

While the state was positioned financially for the pandemic, many of our businesses, especially our small businesses, have been devastated by it. We are going to work diligently to support our business partners. When we return in January, we must act quickly to pass business liability protections so that we can get people back to work safely. This not only provides support for our business partners, but also our schools, higher education, not-for-profits and hospitals. This is critical, and we will need to act fast. Our goal this session must be to enact laws that get Hoosiers back to work safely across all of Indiana – whether you're in a rural area, in the suburbs or in our urban core.

And businesses cannot absorb high health care premiums and energy increases either, during these difficult times. We began making progress in reducing health care costs last session and should continue to build upon it this session. It was wonderful to see a large insurance provider and a large health care provider in Northeast Indiana come together to deliver lower costs for individuals and businesses in that area of the state. I hope we can encourage and support these types of agreements throughout the state to the benefit of all Hoosiers.

Soon we will have the recommendations of the 21st Century Energy Task Force. House Republicans look forward to supporting commonsense legislation this year that provides a long-term vision for energy in Indiana. We must continue to expand and grow the use of alternative energy sources, while doing it in a way that supports the reliability needs of Hoosier businesses and the checkbooks of Hoosier citizens. Energy policy can't be a hope and a prayer theory, as has been the case in other states. It has to be a balance of reliability, sustainability and cost in realistic terms. I'm confident that Chairman Soliday and his committee will guide us down the right path.

Lastly, it would be a mistake not to acknowledge the divide that exists in many of our communities, and the social unrest that stemmed from it this summer and fall.

Our leadership team pledges to continue working with law enforcement and other key stakeholders, including members of the Black Caucus, to foster discussions and solutions on this important topic. Representative Steuerwald has already begun work on a bill to deliver improved training opportunities for law enforcement and move toward equipping all officers with body cameras. We will continue working together with law enforcement to support both our officers and the communities they serve.

Indiana is a leader in addressing tough and difficult issues. We have done it before on major criminal code revisions, implementing the nation's best infrastructure plan and creating a financial position that other states envy – just to name a few. This body has often led on addressing the most challenging issues facing us and we will do it again.

I'm a lifelong Hoosier, and I've never been more optimistic about the future of our state and our people. It may sound strange to say this eight months into a pandemic, but this difficult time has highlighted the best of Indiana. Compassion, strength, humbleness and responsible leadership has made us successful, and we will use these traits to guide us in the next session. We also encourage our Democratic partners to bring their best ideas to these discussions too, as we need all of us, together, working on these vital issues.

People can't wait to get to Indiana to live or do business, and we welcome them with open arms. From South Bend to Jeffersonville, from Evansville to Fort Wayne, from Richmond to Terre Haute, great things are happening throughout our state. We will continue to fight through the pandemic and take our lessons from it to build a better Indiana for all of our constituents. I can't wait until January to work with you to make that happen.

Thank you, and God bless.

#### HOUSE MOTION

Mr. Speaker: I move that the House now proceed to nominate and elect a Principal Clerk for the 122nd General Assembly.

STEUERWALD

Motion prevailed.

The Speaker recognized Representative Steuerwald, who nominated Caroline Spotts as Principal Clerk of the House. Representative Lehman seconded the nomination.

Representative Lehman seconded the nomination.

#### HOUSE MOTION

Mr. Speaker: I move that the nominations be closed and that Caroline Spotts be elected Principal Clerk of the House of Representatives for the 122nd Indiana General Assembly by acclamation.

#### GIAQUINTA

Motion prevailed. The Speaker declared Caroline Spotts elected Principal Clerk of the House of Representatives by acclamation.

The oath of office was administered by the Speaker, which oath is as follows:

"I, Caroline Spotts, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Indiana, and that I will faithfully and impartially discharge my duties as Principal Clerk of the House of Representatives of the General Assembly of the State of Indiana to the best of my skill and ability, so help me God."

The House recessed until the fall of the gavel.

#### RECESS

The House reconvened at 2:30 p.m. with the Speaker in the Chair.

#### HOUSE MOTION

Mr. Speaker: I move that the Standing Rules and Orders as shown in Exhibit A which is attached hereto and made a part hereof be hereby adopted as the Standing Rules and Orders for the government of the House of Representatives of the 122<sup>nd</sup> Indiana General Assembly until otherwise ordered, and that a committee of his House be appointed by the Speaker, who, together with the Speaker, shall constitute the Committee on Rules and Legislative Procedures and whose duty it shall be to report to the House any changes in or additions to the Rules thereof, which in its discretion, may be necessary or desirable.

LEONARD

#### EXHIBIT A

#### RULES OF THE HOUSE OF REPRESENTATIVES ONE HUNDRED TWENTY-SECOND GENERAL ASSEMBLY OF INDIANA

##### PART I. DEFINITIONS

1. Definitions. As used in these rules:

"author" means the member who introduces a House bill or resolution and whose name appears first on the bill.

"bill" includes bills and joint resolutions but does not include concurrent or House resolutions.

"calendar day" means the period from 12:00 a.m. to the next occurring 11:59 p.m. "chamber" means the room, including the galleries, in which the House holds its legislative sessions.

"clerk" means Principal Clerk.

"coauthor" means a member who joins with the author and whose name appears after the name of the author.

"committee meeting" means a majority of the members of a committee gathering to conduct business but does not include executive session of the Statutory Committee on Ethics.

"concurrent resolution" means a non-joint resolution that must be presented to both houses of the General Assembly for adoption.

"constitutional majority" means a majority of all the members elected to the House. (Constitution, Article 4, Section 25.)

"cosponsor" means a member who joins with the sponsor and whose name appears after the name of the sponsor.

"direct personal or pecuniary interest" means that the disposition of the legislative matter could reasonably be expected to have a unique, direct, and substantial effect on the non-legislative income of:

The member;

A member's close relative, as defined in IC 2-7-1-1.7; or

A partnership, corporation, or business in which the member or a close relative holds an ownership interest.

"floor" means the main floor of the chamber.

"galleries" means the areas within the chamber that have been provided for members of the public to observe the sessions of the House.

"hall" means the chamber together with all rooms and hallways adjacent to the chamber.

"House resolution" means a resolution that is not to be presented to the Senate for adoption.

"joint resolution" means a resolution that must meet the same requirements for adoption as a bill.

"journal" means the Journal of the House.

"majority" means a majority of the members present and voting.

"meeting day" means a calendar day when the House convenes in session.

"member" means an individual duly elected to the House.

"member distribution" means providing information or documentation to all members on the member's desk within the chamber assigned to a member, the chamber bin located adjacent to the chamber assigned to a member, or made available on the House computer network.

"sponsor" means the member who sponsors in the House a bill or resolution which originated in the Senate and whose name appears first on the bill.

##### PART II. CONDUCT OF BUSINESS

##### 2. Time of Convening.

2.1 Whenever a deadline date is specified in these rules, and that date falls on a Saturday, Sunday, or legal holiday, that deadline date is extended to the next day that is not a Saturday, Sunday, or legal holiday.

2.2 The House shall convene at the time provided by motion adopted by a constitutional majority.

- 2.3 The announced convening day and time of the House may be changed after the House has adjourned with the agreement of the Speaker and Minority Leader.
- 2.4 In the case of a natural disaster, health emergency, or public safety emergency, the Speaker in consultation with the Minority Leader may adopt a motion pursuant to Rule 82 for the House to adjourn until a day uncertain if the motion identifies a time frame in which the next session day will occur. Notice of the date and time of the next session day shall be given by electronic mail at least five (5) days in advance of the time the House reconvenes.

3. Quorum. Two-thirds of the members of the House constitute a quorum to do business. (Constitution, Article 4, Section 11.)

4. Power of Less Than a Quorum to Compel Attendance. Seven (7) members with the Speaker or Speaker Pro Tempore, or eight (8) members in the absence of the Speaker and Speaker Pro Tempore, one member of the majority of whom they shall elect acting Speaker, may call the House to order, compel the attendance of absent members, make an order for their fine and censure, and adjourn from day to day until a quorum is in attendance.

5. Votes Necessary for Action.

- 5.1 Approval by a constitutional majority is required for the final passage of bills, motions to concur with Senate amendments, or the adoption of conference committee reports.
- 5.2 In all other cases, approval by a majority is required, except as provided in Rules 8, 24, 83, 107 and 149.

6. Organizational Meeting.

- 6.1 In the first regular session the first item of business shall be election of officers.
- 6.2 Other items of business for the organizational meeting shall include the adoption of rules and joint rules.

7. Effect of the Rules. These rules shall govern the House for the term of the General Assembly. (Constitution, Article 4, Section 10.)

8. Changing the Rules. Any rule may be rescinded, changed or suspended without previous notice, and a motion for such purpose is in order at any time, except after a vote on the question has been ordered. Such a motion has precedence over all other business. The motion must be seconded by a constitutional majority and must be carried by two-thirds vote of the members of the House, except as provided in Rules 147, 148, 161 and 163.2. However, the rescission, change or suspension of any rule recommended by the Committee on Rules and Legislative Procedures may be adopted by a constitutional majority of the House.

9. Parliamentary Authority. Concerning all questions not provided for by these rules, Jefferson's Manual shall be regarded as a parliamentary guide of the House and the rules and precedents of the House of Representatives of the United States shall be followed.

10. Order of Business—Usual. The order of business shall be as follows:

- (1) Invocation.
- (2) Calling the House to order.
- (3) Pledge of Allegiance.
- (4) Roll call.
- (5) Reports from committees:
  - (A) Standing committees.
  - (B) Select committees.
  - (C) Conference committees.
- (6) Introduction of resolutions and bills.
- (7) Business on the Speaker's table:
  - (A) Executive and other communications.
  - (B) Bills and resolutions from the Senate on first reading:
    - (i) Reference to committee; or
    - (ii) Placed on file in order of receipt.
  - (C) Bills of the House and Senate on second reading.
  - (D) Bills of the House and Senate on third reading.
- (8) Reading of the Journal, or so much thereof as shall be called for, shall occur upon motion duly adopted by a majority.

11. Order of Business—Discretionary. Notwithstanding Rule 10, the following items of business may be considered at any time at the discretion of the Speaker:

- (1) Messages from the Senate.
- (2) Action on Senate amendments to House bills.
- (3) Action on reports of conference committees (subject to Rules 161 and 162).

12. Order of Business—Suspension. The order of business may be suspended with the consent of a majority.

13. Effect of Adjournment Sine Die. Every bill or resolution which is pending at the adjournment sine die of any session of the General Assembly shall be deemed to have failed and shall not be transferred to any subsequent session, special session or technical session.

14. Persons Authorized Within the Hall.

14.1 Only the following persons may be admitted within the hall of the House without the consent of the Speaker:

- (1) Members, officers, or employees of the General Assembly;
- (2) Members of the executive or judicial branches;
- (3) Accredited members of the news media;
- (4) Employees of the Legislative Services Agency; or
- (5) Members of the public seated in the galleries.

14.2 The Speaker has discretion to limit persons authorized within the hall in the case of natural disaster, health emergency, or public safety emergency.

15. Persons Authorized on Speaker's Stand. When the Speaker is there, no person shall enter upon the Speaker's stand or stand upon the steps leading thereto without an invitation from the Speaker.



**PART III. OFFICERS, EMPLOYEES, AND JOURNAL****A. SELECTION OF OFFICERS**

16. Officers. The officers of the House shall be:

- (1) Speaker.
- (2) Principal Clerk.

17. Term of Office. Each officer of the House shall continue in office for the term of the General Assembly unless removed, suspended or unable to serve.

18. Oath. The Speaker and Principal Clerk shall, before entering upon the discharge of their duties, take an oath to support the Constitution of the United States and the State of Indiana and to faithfully and impartially discharge their duties.

**B. POWERS AND DUTIES OF THE SPEAKER**

19. Call to Order. The Speaker shall call the House to order every meeting day at the hour fixed pursuant to Rule 2.

20. Direction of the Hall.

- 20.1 The Speaker shall have general direction of the hall.
- 20.2 The Speaker shall preserve order and decorum.
- 20.3 In case of any disturbance or disorderly conduct in the hall, the Speaker may order it to be cleared.

21. Speaker Pro Tempore. The Speaker may appoint one of the members of the House as Speaker Pro Tempore. The Speaker Pro Tempore shall hold office at the pleasure of the Speaker who shall exercise all the powers and carry out all the duties of the Speaker in the absence of the Speaker. The Speaker Pro Tempore shall carry out such other duties as may be assigned by the Speaker.

22. Acting Speakers. The Speaker, or the Speaker Pro Tempore if the Speaker is unable, may name any member to perform the duties of the Chair, but such substitution shall not extend beyond one day.

23. Appointment of Committees. The Speaker shall appoint all committees and committee chairs. If the Speaker is unable to make appointments, such appointments may be specifically directed by a constitutional majority.

24. Questions of Order.

- 24.1 The Speaker shall decide questions of order, subject to an appeal to the House by any two (2) members. Such an appeal shall be in writing, signed by the members making the appeal, and shall clearly state the point of order decided by the Chair. No member may speak more than once on an appeal, unless by consent of a majority of the House. No appeal from the decision of the Chair shall prevail except by a constitutional majority. The decisions of the Chair shall be inserted in the Journal.
- 24.2 The Speaker may speak to points of order in preference to other members, rising from his seat for that purpose.

25. Stating Motions. When a motion is made and seconded, it shall be stated by the Speaker or being in writing, stated by the reading clerk.

26. Questions—Form and Vote. Questions shall be substantially in this form: "The question is on \_\_\_\_\_ as many as are in favor vote 'aye,'" and after the affirmative vote is expressed, "as many as are opposed 'no.'" If the

Speaker is uncertain of the result of a voice vote, the Speaker may order a roll call or, upon request of any two (2) members, the Speaker shall grant a roll call.

27. Voting. The Speaker is not required to vote in ordinary legislative proceedings. But when the House is equally divided on a question, the Speaker shall give the deciding vote. When his or her vote would make an equal division, the Speaker shall vote upon the call of any member.

28. Signature. The Speaker shall sign all enrolled acts, enrolled joint resolutions, warrants, and subpoenas or issued by order of the House.

**C. DUTIES OF OTHER OFFICERS AND EMPLOYEES**

29. Clerk—List of Bills Filed. The Clerk shall, upon the request of the Speaker, prepare a list of the bills filed. The list shall contain the number, title and author of each bill and shall be delivered to the Speaker for committee referral of each bill.

30. Clerk—Receipt for Enrolled Acts. As custodian of the enrolled acts, the Clerk shall require a receipt upon surrendering possession of an enrolled act.

31. Clerk—Disposition of Bills after Session.

- 31.1 After each session, the Clerk shall transmit to the State Archives all original and engrossed House bills and resolutions. The State Archives will provide for the preservation of such bills and resolutions.
- 31.2 The Clerk shall retain the receipt books of the transmittal of enrolled acts and joint resolutions to the Governor and such bookkeeping records as are appropriate. At the end of the two-year General Assembly term, the clerk shall safely and properly dispose of receipt books.

32. Clerk—Messages from the Senate. When messages, bills, and resolutions are received from the Senate they shall be delivered in written or electronic form to the Speaker.

33. Doorkeepers.

- 33.1 It is the duty of the Doorkeepers to attend to the House during its sessions; to maintain order in the hall; to execute all process issued by the authority of the House and directed to them by the Speaker; and in all things to execute the commands of the Speaker of the House.
- 33.2 It is the duty of the Doorkeepers upon the authority of the Speaker to clear the hall of unauthorized persons from 30 minutes before the time for convening until 30 minutes after adjournment.

**D. HOUSE JOURNAL**

34. Requirement. A Journal of the proceedings of the House shall be kept and published. (Constitution, Article 4, Section 12.)

35. Contents.

- 35.1 The title of every bill introduced shall be recorded in the Journal.
- 35.2 All joint resolutions amending the Constitution of the State shall be published in full in the Journal.

- 35.3 All motions, resolutions, reports, petitions, decisions of the Chair, and amendments to bills or other matters shall appear of record in a manner approved by the Speaker.

#### PART IV. RIGHTS AND DUTIES OF MEMBERS

##### A. GENERALLY

36. Attendance. No member shall have an excused absence from the service of the House unless excused by the Speaker.

##### 37. Presentation of Petitions and Memorials.

- 37.1 Members having petitions, memorials, concurrent or house resolutions to present may hand them to the Speaker, endorsing them with their names. Petitions, memorials, concurrent or house resolutions, and the reference or disposition of them, shall be entered on the Journal and may be referred by the Speaker to the appropriate committees. If any petition, memorial, concurrent or house resolution is presented which in the judgment of the Speaker is not respectful, temperate and free from offensive imputations upon the character or conduct of the General Assembly or other constituted authority, it shall be returned to the member from whom it was received.
- 37.2 When a paper is first presented to the House, it is a matter of right of any member to have it read before the House votes upon it. If the paper has been once read or the reading dispensed with and the reading is again requested and objected to, it shall be determined by a vote of the House.

38. Protest. Any member of the House has the right to protest and to have that protest, with the reasons for dissent, entered on the Journal. (Constitution, Article 4, Section 26.)

##### B. CONCERNING DEBATE

39. Decorum. While the Chair is putting any question or addressing the House, no member shall walk out of or across the House. When a member is speaking or delivering any matter to the House, no other member shall pass between that member and the Chair.

##### 40. Recognition to Speak.

- 40.1 Any member desiring to speak in debate or to deliver any matter to the House, shall rise and respectfully address "Mr./ Madam Speaker," but shall not proceed until recognized by the Speaker.
- 40.2 When two (2) or more members rise at once, the Speaker shall name the member who is first to speak.

##### 41. Contents of Comments.

- 41.1 Comments shall be confined to the question under consideration, shall avoid personality, and shall not impeach the motive of any member's vote or argument.

- 41.2 Video coverage of the House shall not be altered or deleted during the term of the General Assembly unless agreed to in writing by the Speaker and Minority Leader.

42. Frequency of Speaking. No member may speak more than twice on the same question without the consent of the House or more than once until every member choosing to speak has spoken.

##### 43. Breaches of Order.

- 43.1 If a member transgresses the rules of the House, the Speaker or any other member may call the offender to order, in which case the member called to order shall immediately sit down, unless permitted to explain. The House shall, if appealed to, decide on the case, without debate, in accordance with Rule 24. If there is no appeal, the decision of the Chair shall be submitted to. If the decision is in favor of the member called to order, he or she may proceed. If the decision is not in favor of that member, he or she may not proceed if any member objects, without leave of the House. If the case requires it, a member may be liable to the censure of the House.
- 43.2 If a member is called to order for words spoken in debate, the person calling him or her to order shall repeat the words excepted to and they shall be taken down in writing at the rostrum.
- 43.3 No member shall be held to answer or be subject to the censure of the House for any words spoken in debate if any other member has spoken or other business had intervened after the words were spoken and before exception to them has been taken.

##### C. CONCERNING VOTING

##### 44. Right to Have Vote Counted.

- 44.1 When the question is stated by the Speaker and the vote is on a call of the yeas and nays, all members within the Chamber shall be counted.
- 44.2 Notwithstanding any rule or prior interpretation of these rules to the contrary, the Speaker shall, upon the request of any two (2) members prior to the call for a vote, regardless of the question under consideration, cause a permanent public written record of any vote to be made. This record shall include the date, subject matter under consideration; total number of members voting; and whether they voted in favor, against or were excused from voting. This record shall be recorded in the House Journal and shall be made available to the public and news media. Violations

of this rule shall be considered a violation of the public trust.

#### 45. Duty to Vote.

- 45.1 Every member who is on the floor of the House when the question is put shall vote, unless excused by the House for special reasons.
- 45.2 A member must be physically present within the Chamber to vote.

46. Excuse from Voting. All motions to excuse a member from voting shall be made before the call of the tally of the vote is made. No call of the yeas and nays shall be entertained on a motion to excuse a member from voting. All requests to be excused from voting shall be reduced to writing, including the reasons for the request, and entered upon the Journal. A member who is aware they will be making a request to be excused from voting on a matter shall not engage in floor debate except on the issue of the request. The Speaker shall recognize all requests to be excused from the rostrum before the vote.

47. Conflict of Interest. Any member who has a direct personal or pecuniary interest in the result on any question shall ask to be excused and shall not vote on that question, except on budget or general revenue bills as permitted by Rule 169. Any member requesting to be excused from voting may make a brief statement of the reasons for making such request and the question then shall be taken without further debate.

48. Refusal to Vote. The refusal to vote by a member who is present and has not been excused from voting is a high breach of decorum and subjects the person so offending to a fine, censure or such other penalty as the House may order.

#### 49. Absent Members.

- 49.1 A member who is absent from the House without excuse may, by order of the members present, be sent for and taken into custody wherever found by the Doorkeeper or other person appointed for that purpose.
- 49.2 When a member is discharged from custody and admitted to the House, the remaining members shall determine whether a fine, censure or other penalty should be imposed. The House shall determine whether a delinquent member, taken into custody, shall pay the expenses incurred.

#### 50. Voting for Another.

- 50.1 No member shall vote for another member. In addition to such penalties as may be prescribed by law, any member who votes or attempts to vote for another member may be punished in such manner as the House may determine.
- 50.2 No person not a member may cast a vote for a member. If a person not a member votes or attempts to vote for a member, that person shall be barred from the floor of the House for the remainder of the session and may be further punished in such manner as the House deems proper.

51. Voting After the Machine is Closed. Except as provided in Rule 75, no member may vote or change a vote after the Speaker announces that the machine is closed for the recording of the vote.

### PART V. STANDING COMMITTEES AND SUBCOMMITTEES

52. Standing Committees. The following shall be the standing committees:

- |                    |                                                       |
|--------------------|-------------------------------------------------------|
|                    | (1) Agriculture and Rural Development                 |
|                    | (2) Commerce, Small Business and Economic Development |
|                    | (3) Courts and Criminal Code                          |
|                    | (4) Education                                         |
|                    | (5) Elections and Apportionment                       |
|                    | (6) Employment, Labor and Pensions                    |
|                    | (7) Environmental Affairs                             |
|                    | (8) Family, Children and Human Affairs                |
|                    | (9) Financial Institutions and Insurance              |
| Reform             | (10) Government and Regulatory                        |
|                    | (11) Judiciary                                        |
|                    | (12) Local Government                                 |
|                    | (13) Natural Resources                                |
|                    | (14) Public Health                                    |
|                    | (15) Public Policy                                    |
|                    | (16) Roads and Transportation                         |
|                    | (17) Rules and Legislative                            |
| Procedures         | (18) Utilities, Energy and                            |
| Telecommunications | (19) Veterans Affairs and Public                      |
| Safety             | (20) Ways and Means                                   |

#### 53. Membership.

- 53.1 Except as otherwise provided, all standing committees shall consist of not less than three (3) nor more than fifteen (15) members, except at the discretion of the Speaker of the House.
- 53.2 The Committee on Ways and Means shall include at least one member from each congressional district and two (2) members of the Budget Committee.
- 53.3 The Committee on Elections and Apportionment shall be composed of at least one member from each congressional district.

54. Proportional Representation. Insofar as feasible and practical, the membership of the standing committees shall be made proportionate to representation of parties in the House.

55. Appointment and Term. The standing committees shall be appointed by the Speaker not later than ten (10) days after the election of officers and shall be recorded in the Journal. The members of the standing committees shall serve for the term of the General Assembly unless removed, suspended or unable to serve.

#### 56. Duties.

- 56.1 It is the duty of the several standing committees to examine

and report upon all matters that may be referred to them by bill or otherwise. No committee amendment proposed to a simple or concurrent resolution substituting therein a different subject matter may be accepted, unless accompanied by the written consent of its author.

- 56.2 Each committee shall have a chair and vice chair appointed by the Speaker and a ranking minority member appointed by the Minority Floor Leader.
- 56.3 The chair or, in absence of the chair, the designee of the chair shall preside over committee meetings and be responsible for the decorum and conduct of the meetings.
- 56.4 A majority of committee members must be physically present when establishing a quorum and when voting.

57. Time of Meeting. No committee may sit while the House is in session without the consent of the Speaker.

58. Right of Authors and Sponsors. Any member of the House, having any petitions, memorials, remonstrance, resolution, bill or other matter of which the member is the author, coauthor, sponsor or cosponsor, may meet with and act as a member of the committee during the time the committee has such subject under consideration. The member may participate in debate, but the member may not make or second motions or vote unless he or she is a regular member of the committee.

#### 59. Notice of Meetings.

- 59.1 Notice of all committee meetings shall be provided for member distribution. The notice shall also be posted and made available to the public. The notice shall include the date, time and place of the meeting and the number, subject matter and author of each bill or resolution to be considered together with such information concerning the subject matter as the committee chair shall determine.
- 59.2 When the House is out of session more than three (3) calendar days, the notice required to be given to members shall be given by electronic mail at least five (5) days before the meeting.

60. Announcement of Meetings. The chair of each committee shall have all committee and subcommittee meetings announced from the floor of the House. At such time the number and subject matter of each bill to be considered at the meeting shall be announced. With the exception of hearings on the budget bills, such announcements shall be made for all committee meetings prior to adjournment on the meeting day that precedes the committee meeting; however, when the House is out of session three (3) or more calendar days, such committee meetings need not be announced from the floor of the House.

61. Open Meetings. All standing committee and subcommittee meetings shall be open to the public, and citizens shall have the right to be heard. To the extent

feasible, meetings will be held at times and places convenient to the public.

62. Quorum. For a committee to establish a quorum, a majority of members appointed to the committee must be physically present in person. No vote may be taken or recorded without a quorum; however, a committee may take testimony without a quorum.

#### 63. Voting for Another.

- 63.1 No member of a committee may vote for another member, nor may any person not a member of the committee cast a vote for a member.

- 63.5 No proxy votes are ever in order.

64. No Secret Ballot. Voting by secret ballot is prohibited.

65. Record of Voting. When a final vote is taken on any bill or resolution under consideration by a committee or subcommittee the vote of each member shall be recorded and retained as part of the record of the meeting. Records of such votes shall be made available for examination.

66. Change of Vote. No recorded vote of a member on any bill or resolution may be changed except upon adoption of a motion to do so during a committee session at which there is a quorum.

67. Committee on Rules and Legislative Procedures—Duties. If in checking printed bills and the daily Journal, the Committee on Rules and Legislative Procedures ascertains any error, including spelling or technical errors, the error shall be corrected under its direction. A record of such errors and the corrections shall be entered in the Journal.

68. Committee on Rules and Legislative Procedures—Meetings. It is in order for the Committee on Rules and Legislative Procedures to meet any time and to report at any time when no question is before the House.

## PART VI. VOTING PROCEDURE

69. Voting Machine. The voting machine may be used in voting on any question.

70. When Voting Machine Not Operating. In the event the voting machine is not operating, the names of the members shall be called alphabetically, the name of the Speaker being called last. The reading clerk will read the vote after each member to confirm. If any mistake has been made in noting the answer, or if any member has made a mistake in giving an answer, the mistake of either may be corrected.

71. During the Vote. After a vote on the question has been ordered, no debate and no motion, including a motion to adjourn or a point of personal privilege, shall be in order until the vote is completed.

#### 72. Bringing the Question to a Vote.

- 72.1 When the House is ready to vote upon any question requiring a roll call, the Speaker shall announce: "The question is on the passage (designating the matter to be voted upon). All in favor of such question shall vote 'aye;' all opposed shall vote 'no.' The House will now proceed to vote."
- 72.2 When sufficient time has been allowed for members to vote, the Speaker shall announce: "Have all members voted?" and after a short pause the vote shall be tallied.

73. Explanation of Vote. The ordering of the previous question shall not prevent a member from explaining

his or her vote after the vote is recorded; but no member, under this rule, shall be permitted more than one minute for that purpose.

74. Announcing the Vote. When the vote is tallied, the Speaker shall announce the result and the vote tally shall be recorded in the Journal.

75. Change of Voting Records. The roll call as recorded on the recording equipment shall not be altered or changed in any manner, by any person, except by a constitutional majority upon written petition setting forth the reasons for the change of the recorded vote. The petition and the action thereon shall be entered in the Journal.

76. Voting Records. At the same time the vote is recorded by the recording equipment, an original and not less than three duplicate roll call sheets shall be made showing the vote. One of the duplicates shall be for the use of the news media and one shall be furnished to the Legislative Services Agency. This rule shall be suspended for the First Regular Session of the 122<sup>nd</sup> General Assembly due to a public health emergency. All vote records will be available on the House computer network.

## PART VII. MOTIONS

77. Absence of Quorum. When less than a quorum is present no motion may be entertained, except to adjourn or compel the attendance of members.

78. Form. Every motion, except a motion for the previous question, or calling or excusing absentees, shall be in writing or reduced to writing immediately after introduction.

79. Second. When a motion is made it must be seconded before it may be debated after which it is in possession of the House; but, it may be withdrawn at any time before a decision or amendment.

80. Germane. No motion or proposition on a subject not germane to that under consideration shall be admitted under color of an amendment.

81. Division of a Question. Any member may call for the division of a question before or after the main question is ordered. The question shall be divided if it contains propositions in substance so distinct that if one were taken away a substantive proposition shall remain for the decision of the House. A motion to strike out and insert shall be deemed indivisible. A motion to strike out being lost shall not preclude amendment or a motion to strike out and insert.

82. Fix a Time of the Next Meeting. A motion to fix a time to which the House shall adjourn is in order at any time, except as provided in Rule 71, and is debatable unless made while another question is pending, in which case it is undebatable.

83. Suspend Rule Requiring Reading on Three Separate Meeting Days. A motion to suspend the constitutional rule requiring a bill to be read on three separate meeting days must be carried by two-thirds vote of the members of the House. (Constitution, Article 4, Section 18.)

84. Recommit. After a bill has been reported to the House, it may be recommitted to the same or another committee with or without recommendation by a majority vote and shall be recommitted by the Speaker to the Committee on Ways and Means in accordance with Rule 127.

85. Call Back to the House from Committee. A bill may not be called back to the House from committee.

86. Precedence of Motions When Question Under Debate. When a question is under debate, only the following motions may be received:

- (1) To adjourn,
- (2) To lay on the table,
- (3) For the previous question,

- (4) To postpone to a day certain,
- (5) To postpone indefinitely,
- (6) To commit or recommit
- (7) To strike out the enacting words, or
- (8) To amend.

These motions have precedence in the order that they are listed.

87. Adjourn. A motion to adjourn shall be decided without debate and is always in order, except as provided in Rule 71 or while another member is speaking.

88. Table. A motion to lay on the table is undebatable and is always in order, except as provided in Rule 71 or while another member is speaking.

89. Previous Question.

89.1 On the previous question there shall be no debate.

89.2 All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

90. Postpone to a Day Certain or Commit. A motion to postpone to a meeting day certain or to commit, being decided, shall not again be allowed on the same day, at the same stage of the bill or proposition.

91. Precedence of Certain Motions. Motions to postpone to a meeting day certain, to commit or amend may be amended and have precedence in the order named in Rule 86.

92. Effect of Indefinite Postponement or Tabling. When a question is postponed indefinitely, or when a motion to reconsider has been laid upon the table, neither such question nor any bill, resolution, conference committee report or amendment on the same subject matter shall be considered again during the session. However, the indefinite postponement of or tabling of a motion to reconsider action on a House bill shall not prevent later consideration of or action upon a Senate bill on the same subject matter.

93. Reconsider—Tie Vote. In all cases of equal division, the question is not lost and may be reconsidered upon motion by any member.

94. Reconsider.

94.1 When a question has been decided either in the affirmative or negative, except as provided in Rules 92 and 154, it is in order for any member having voted with the majority to move for the reconsideration thereof on the same or the succeeding meeting day. The motion takes precedence over all other questions, except a motion to adjourn, and may not be withdrawn after that succeeding day without the consent of a majority.

94.2 When a motion is pending for the reconsideration of any question, any member of the House may call up the motion for the action of the House when it has been pending for twenty-four (24) hours. All such motions shall take precedence over all questions except a conference committee report or motion to adjourn; however, if such motion is made after April 14 of the first regular

session or after March 7 of the second regular session, it shall be disposed of when made.

## PART VIII. LEGISLATIVE PROCEDURE

### A. FORM OF BILLS AND RESOLUTIONS

95. Digest. A brief digest stating the nature of the proposed bill shall be attached to each copy of the bill when filed for introduction.

96. Title. Every bill shall contain a title that expresses in concise terms the subject matter of the bill, in sufficient detail to acquaint the members of the House with the general subject matter under consideration.

97. Identification of Law to be Amended. Every amendatory bill shall identify the original act or code as last amended, and the sections amended shall be set forth and published at full length. The identification required by this rule shall be made by citation reference.

98. Emphasize Amendments.

98.1 When a bill proposes to amend the Constitution, statute or section thereof, the author shall indicate the new matter by use of bold face type. If any matter has been deleted, the deleted material shall be set out in cancelled type.

98.2 Capitalization, organization or punctuation changes made solely for the purpose of uniform style need not be indicated.

99. Form. Every bill or resolution of the House shall be written on full sheets of paper. All bills and resolutions shall be typewritten or printed, having no handwritten interlining or defacements of any kind.

100. Original and Copies.

100.1 There shall be one original of each bill prepared for filing, together with such copies as the Speaker shall from time to time determine. The Clerk shall distribute the copies to such persons as the Speaker shall designate with a view towards improving the legislative process and encouraging public awareness of and participation in matters pending before the House. Such distribution shall be made upon release of a bill for committee consideration or upon the date of first reading, whichever is earlier.

100.2 This rule does not apply to bills filed in the name of the Committee on Rules and Legislative Procedures.

101. Authorized Copies. The printing and other contractors shall work under the direction of the Speaker and no bill in the possession of the House shall be printed for any member or other person without the express approval of the Speaker.

102. Release of Information Concerning Printing and Computing.

102.1 Neither the printing nor other contractors, nor any subcontractor shall release information concerning bills, their progress or the work on the bills to any person not authorized

by the Speaker to receive such information.

102.2 A procedure shall be developed under the direction of the Speaker for informing authors or sponsors about printing of their bills.

### B. FILING, INTRODUCTION, FIRST READING, COMMITTEE ASSIGNMENT

103. Time to File. On or after the first meeting day of a regular or special session, any member may file a bill with the Clerk for introduction. Filing shall not be later than 2:00 p.m. the day prior to introduction and first reading.

104. Preconditions for Filing. No member may file a bill for introduction, except the budget bills, unless:

- (1) It has previously been submitted to the Legislative Services Agency for the purpose of checking as to form; and
- (2) The subject matter is clearly set forth both in the title and the body of the bill.

105. Names of Author and Coauthors.

105.1 This rule only applies to the First Regular Session of the 122<sup>nd</sup> General Assembly due to a public health emergency. Every bill filed shall include the name or names of the member or members offering it and shall be delivered in person or by certified mail to the Clerk's office. A motion to add or remove an author, coauthor, sponsor, or cosponsor may only be filed on the meeting day after the adoption of the committee report on the bill or the meeting day after the bill is ordered engrossed. There may be no more than three (3) coauthors or cosponsors of a bill at any time without the authorization of the Speaker.

105.2 This rule only applies to the Second Regular Session of the 122<sup>nd</sup> General Assembly. Every bill filed shall include the name or names of the member or members offering it and shall be delivered in person or by certified mail to the Clerk's office. There may be no more than three (3) coauthors or cosponsors of a bill at any time without authorization of the Speaker.

105.3 This rule does not apply to bills filed for the Committee on Rules and Legislative Procedures under Rule 106. The Committee on Rules and Legislative Procedures shall be considered the author of such bills at the time of filing.

106. Vehicle Bills.

106.1 During the first regular session of the One Hundred Twenty-Second General Assembly, on January 14<sup>th</sup> twenty-five (25)

- bills shall be filed in the name of the Committee on Rules and Legislative Procedures. During the second regular session of the One Hundred Twenty-Second General Assembly, on the fifth meeting day in January, twenty-five (25) bills shall be filed in the name of the Committee on Rules and Legislative Procedures. Rule 104 and the time limits of the Rule 112 do not apply to such bills.
- 106.2 Any amendment to a vehicle bill shall be filed by the author of the vehicle bill with the Clerk at least twenty-four (24) hours before the amendment is presented in a committee meeting and distributed in the same manner as amendments are distributed under Rule 117.1. A reasonable time between the filing of the amendment with the Clerk and a committee meeting to consider the amendment to the vehicle bill shall be afforded members of the committee to file additional amendments to the vehicle bill as amended by the author's amendment.
107. Deadline for Filing.
- 107.1 During the first regular session of any term of the General Assembly, no bill may be filed for introduction later than 2:00 p.m. on January 13 without the consent of a two-thirds majority of the members elected. In the first session after a gubernatorial election, the budget bill may be filed for introduction no later than 2:00 p.m. on the third Monday in January.
- 107.2 During the second regular session of any term of the General Assembly, no bill may be filed for introduction later than 2:00 p.m. on the fourth meeting day in January without consent of a two-thirds majority.
- 107.3 This rule does not apply to bills filed in the name of the Committee on Rules and Legislative Procedures under Rule 106.
108. Bill Limit.
- 108.1 During the first regular session, each member shall be permitted to file for introduction no more than ten (10) bills.
- 108.2 During the second regular session, each member shall be permitted to file for introduction no more than five (5) bills.
- 108.3 This rule does not apply to bills filed in the name of the Committee on Rules and Legislative Procedures under Rule 106.
109. Numbering. The Clerk shall date and number each bill consecutively in the order received, commencing with the number 1001, and joint resolutions consecutively, commencing with the number 1. The number a bill takes when introduced by a member is only for convenience in filing and for reference; it is no part of the bill or act itself.
110. Withdrawal.
- 110.1 Any bill may be withdrawn prior to first reading by the author upon written request to the Clerk and the records shall show such bill as having been withdrawn.
- 110.2 Any House resolution or House concurrent resolution may be withdrawn by the author upon written request to the Clerk and the records shall show such House resolution or House concurrent resolution as having been withdrawn.
111. Effect of Loss of Author. A bill filed by a member whose office becomes vacant before the bill is first read shall be introduced and read a first time in the name of the first named coauthor. If there is no coauthor, the records shall show that the bill was withdrawn before first reading.
112. Referral to Committee. The Speaker shall refer each bill to a committee within seven (7) calendar days after the bill filing deadline at the latest. The Speaker shall cause the committee referral to be indicated on the list of bills filed, and the list to be provided for member distribution.
113. Bill List. Bills and resolutions filed on the first meeting day or during recess after the first meeting day may be assigned and released by the Speaker to a standing committee for consideration and will be introduced the first or a subsequent day on which the House is convened.
114. Claims Against the State. All claims against the State which must be first presented in the House shall be referred to the Committee on Ways and Means before being referred to any other committee.
115. Introduction and First Reading. The reading of each bill by number, title, author, and committee reference shall be the introduction and first reading. The first reading of a bill is for information.
116. Rejection or Assignment to Committee. If a member objects to a bill on first reading the question shall be: "Shall the bill be rejected?" If the question to reject is defeated, the bill shall be referred to a committee.
- C. AMENDMENTS
117. Filing.
- 117.1 Copies. There shall be made one copy on the House computer network in a format specified by the Speaker and one original and that number of additional paper copies specified of all amendments and committee reports. The copies shall be distributed to those persons as the Speaker shall designate with a view towards improving the legislative process and encouraging public awareness of and participation in matters pending before the House.
- 117.2 Floor Amendments to Bills. This rule only applies to the First Regular Session of the 122<sup>nd</sup> General Assembly due to a public health emergency. No

amendment may be offered to a bill on second reading unless such amendment shall have been reduced to writing, saved in a computer format specified by the Speaker, filed with the Clerk and time-stamped on at least three (3) hours prior to the posted convening time of the session on the day on which the bill is called for second reading. A copy of each timely filed amendment shall be provided for member distribution and made available on the House computer network for the public as soon as practicable.

117.3 Floor Amendments to Bills. This rule only applies to the Second Regular Session of the 122<sup>nd</sup> General Assembly. No amendment may be offered to a bill on second reading unless such amendment shall have been reduced to writing, saved in a computer format specified by the Speaker, filed with the Clerk and time-stamped at least two (2) hours prior to the posted convening time of the session on the day on which the bill is called for second reading. A copy of each timely filed amendment shall be provided for member distribution and made available on the House computer network for the public as soon as practicable.

118. Substituting Another Bill. No bill may be amended by annexing to it or incorporating with it any other bill pending before the House.

119. Substituting Different Subject Matter—House Bill.

119.1 No amendment proposed to a House bill substituting therein a different subject matter may be accepted, unless accompanied by the written consent of its author and coauthors.

119.2 The House shall reject all House bills that have been amended in the Senate by substituting therein the contents of a different bill or a different subject matter without having first received the written consent of its author and coauthors.

120. Substituting Different Subject Matter—Senate Bill. No House amendment proposed to a Senate bill substituting therein the contents of a different bill or a different subject matter may be accepted unless it is accompanied by the written consent of the author, coauthors, sponsor and cosponsors.

121. Effect of Tabling. If a motion to lay proposed amendments on the table prevails, it shall not affect the general subject to which the amendments are offered.

122. Appended to Bill. The text of all committee and floor amendments to a bill shall be appended to each printing of that bill, unless otherwise ordered by the House.

#### D. COMMITTEE MEETINGS, CONSIDERATIONS, REPORTS

123. Record of Committee Vote. The vote of the committee shall be placed on the bill.

124. Approval of Digest. When a bill is reported out of committee, it shall be submitted to the Legislative Services Agency for approval or revision of the digest, as appropriate.

125. Committee Reports. A committee to which a bill has been referred may report on the bill with or without amendments.

126. Effect of Motion to Postpone or Table. If a majority of the committee members present at a committee meeting vote to table or to postpone a bill indefinitely, the decision of the committee shall not be reported to the House.

127. House Action on Committee Reports. The report, with amendments, if any, shall be acted upon by the House upon its submission. Any bill with an annual fiscal impact to the State in excess of \$50,000 may be referred by the Speaker to and reported by the Committee on Ways and Means before it is eligible for second reading. Any bill which adds an additional or enhanced criminal penalty may be referred by the Speaker to and reported by the Committee on Courts and Criminal Code before it is eligible for second reading.

128. Minority Reports. Any member of a committee reporting who voted against adoption of the committee report may submit a separate report, which shall be filed with the committee report and shall be a minority report. In the event a minority report is submitted, the report adopted by the recorded vote of a majority of the committee members present at a duly constituted meeting of the committee shall be the majority report. A minority report duly filed with the Clerk for action by the House shall be voted upon before the majority report and, upon adoption, becomes the committee report. If the minority report is rejected, the House shall then act upon the majority report.

129. First Printing—Form. Every bill reported favorably by a committee, and other bills as directed by the House, shall be printed for the first time in bill form with the pages and lines numbered.

130. First Printing—Member Distribution. After a bill is printed for the first time it shall be provided for member distribution and shall be made available on the House computer network as soon as practicable.

131. Emphasize Amendments.

131.1 Whenever a bill proposing to amend the Constitution or any statute is printed, the text of the bill shall reflect each proposed change from the text of the Constitution or statute. This shall be accomplished by the use of bold face type to indicate the addition of new material and cancelled type to indicate the deletion of existing material.

131.2 Capitalization or punctuation changes made solely for the purpose of uniform style need not be indicated.

132. Type Face. No special type faces shall be used in the printed bill to indicate the occurrence of committee or floor amendments; instead, except as provided in Rule 131 the printing shall set forth the clean text of the bill as it appears after the committee and floor amendments have been implemented.

#### E. SECOND READING

141. Calendar of Bills. The Speaker shall, insofar as is practical, make up a daily calendar of all bills and resolutions which are due to be handed down for action either on second or third reading on the next meeting day. The calendar shall



be provided for member distribution as soon as practicable after adjournment, and made available on the House computer network for the public.

142. Eligibility. A bill is eligible for its second reading on the second calendar day following member distribution.

143. Calling Down on Second Reading.

- 143.1 When the time for second readings arrives, each member who is an author or sponsor of a bill shall be entitled to call down a bill for consideration by the House if the bill has been calendared by the Speaker for that day. A coauthor or cosponsor may call down a bill with the written consent of the author or sponsor. When the bill is called, the Speaker shall hand down the bill to be read and then state that the bill is ready for amendment, recommitment or engrossment.
- 143.2 If a bill is eligible for second reading and no amendments to the bill have been filed pursuant to Rules 117.2 and 117.3, the Speaker may, upon the request of the author and with consent of the members, immediately move the bill to engrossment.

144. Engrossment—Reprinting. All bills ordered to be engrossed shall be executed in typewritten or printed form and made available on the House computer network. Whenever a bill is amended on second reading, it shall be reprinted, unless at the discretion of the Speaker or by motion adopted, it is otherwise ordered. If the bill is reprinted, the reprinted bill shall be used for the engrossed bill, and if the bill is not reprinted the amendments shall be engrossed to the bill.

145. Engrossment—Supervision. Bills when ordered to engrossment shall be engrossed under the direction of the Speaker and the Committee on Rules and Legislative Procedures. It is the duty of the Committee on Rules and Legislative Procedures to carefully compare the engrossed bills with the original bills and ascertain whether they have in all respects been accurately and correctly engrossed; if that committee ascertains any mistake, it shall be corrected under the committee's direction.

#### F. THIRD READING

146. Eligibility.

- 146.1 No bill shall be considered on third reading on the same meeting day that it passed to engrossment except on motion adopted pursuant to Rule 83.
- 146.2 The Speaker shall make a daily calendar of bills eligible for third reading.
- 146.3 When the time for third reading arrives, each member who is an author or sponsor of a bill shall be entitled to call down a bill for consideration by the House. A coauthor or cosponsor may call down a bill with the written consent of the author or sponsor. When the bill is called, the Speaker shall hand down the bill, state that it is on its passage and

allow the author or sponsor to begin the debate.

147. Deadline for House Bills.

- 147.1 During the first regular session, no House bill shall be eligible for consideration on third reading after February 22.
- 147.2 During the second regular session, no House bill shall be eligible for consideration on third reading after January 31.
- 147.3 Upon recommendation of the Committee on Rules and Legislative Procedures, this rule may be suspended as to a specific bill by the approval of a constitutional majority.

148. Deadline for Senate Bills.

- 148.1 During the first regular session, no Senate bill shall be eligible for consideration on third reading after April 19.
- 148.2 During the second regular session, no Senate bill shall be eligible for consideration on third reading after February 28.
- 148.3 Upon recommendation of the Committee on Rules and Legislative Procedures, this rule may be suspended as to a specific bill by the approval of a constitutional majority.
- 148.4 No Senate bill or joint resolution amending the Constitution shall be received by the House after close of business on the next business day following the Senate's third reading deadline established by the Rules for the Government of the Senate.
- 148.5 The limitations set forth in this Rule shall not apply to bills concerning reapportionment or redistricting only.

149. Amendments. After a bill has been engrossed and ordered to third reading, it may not be amended except by unanimous consent. Thereafter upon motion of the author or sponsor, it may be recommitted to a committee of one with special instructions to amend by a two-thirds vote. In case any bill is amended after engrossment, the question may again be put on the engrossment of the bill.

- 149.1 No bill shall be eligible for third reading that specifically exempts the House, its members, staff and employees from laws applicable to the public at large.

150. Right to Close. The author or sponsor of a bill has a right to fifteen (15) minutes of time to close the debate upon it when it has reached its third reading. The right secured by this rule shall not be impaired, even after a demand for the previous question.

151. Final Passage—Majority but Not a Constitutional Majority. When a bill on its final passage receives a majority of the votes cast, but not a constitutional majority, the bill shall not be considered lost. When the third reading of the bill is in order, any member who voted with the majority or who did not vote at all may, by motion adopted by a majority vote, reconsider the bill; and the House shall take another vote

thereon. Any number of votes may be taken in such cases by the House.

152. Final Passage—Tie Vote. When a bill on its final passage receives the same number of votes cast against it as for it, the bill shall not be considered lost; it may, when the third reading of bills is in order, be reconsidered upon the motion of any member.

153. Final Passage—More Votes Against than For (but Less than Fifty-One (51) Against). When a bill on its final passage receives more votes against than for it, but less than a constitutional majority, it may be considered under the provisions of Rule 94.

154. Final Passage—Fifty-One (51) or More Votes Against.

- 154.1 Whenever a bill on its passage receives fifty-one (51) votes or more against its passage, the bill, as well as the subject matter of the bill, is decisively defeated, and neither the question nor any bill, conference committee report, or amendment on the same subject matter may be considered again during the session. However, the decisive defeat of a House bill does not prevent later consideration of or action upon a Senate bill on the same subject matter.
- 154.2 This rule does not apply to budget bills or state revenue raising measures.

155. Record of Vote on Final Passage. The vote on final passage shall be placed on the bill and entered in the House computer network.

#### G. CONCURRENCES, DISSENTS AND CONFERENCE COMMITTEES

##### 156. Motions.

- 156.1 Motions to concur or dissent may be filed by the author, or by the first coauthor with written consent of the author. Such motions shall be prepared by the House attorney's offices, filed with the Principal Clerk, and provided for member distribution.
- 156.2 A motion to concur shall not be acted upon until such motion has been filed with the Principal Clerk and provided for member distribution at least two (2) hours before action is taken on the motion.
- 156.3 A motion to dissent is eligible for a vote by the members of the House immediately after being filed with the Principal Clerk.
- 156.4 Motions to concur on Senate amendments shall be rejected unless approved by a constitutional majority of the members elected and such majority shall be established by a roll call vote.

##### 157. Establishing Conference Committees.

- 157.1 If a motion is filed to dissent on Senate amendments to a House bill, the author may request that

the Speaker appoint a conference committee, and if the Senate dissents in House amendments to a Senate bill, the President Pro Tempore may request by the appointment of Senate conferees that the Speaker appoint a conference committee.

- 157.2 The House conference committee consists of two Representatives appointed by the Speaker, with the first listed Representative being the chair. Advisors may be appointed at any time by the Speaker.
- 157.3 House conferees may be appointed or removed at any time by the Speaker. Any changes shall be posted on the House bulletin board located outside the hall and announced by the Speaker from the rostrum. The office of the House majority attorney and the House minority attorney shall be advised of conferee changes.

##### 158. Meetings.

- 158.1 Each conference committee on House bills shall be open to the public, shall be held in the State House and shall convene only after at least two (2) hours public notice. The notice shall include:
- (1) The bill number and subject matter of the bill or bills to be considered;
  - (2) The time, day, date, and place of meeting;
  - (3) The members of the conference committee; and
  - (4) The chair of the conference committee.
- 158.2 It is the responsibility of the chair of the conference committee to advise the office of the Principal Clerk and the office of the Majority Caucus Chair of the holding of a conference committee meeting and to provide those offices with the information set forth in Rule 158.1.
- 158.3 Notice of conference committee meetings including all information set forth in Rule 158.1 shall be posted prominently on the House bulletin board located outside the hall and on the House computer network for no less than two (2) hours before the meeting.

159. Filing of Reports. No conference committee report shall be referred to the House until it has been signed by the four appointed conferees and approved as to form by the House majority attorney and filed with the Principal Clerk. The House minority attorney shall promptly receive a copy of the conference committee report after it has been approved by the House majority attorney.

160. Amended Digest. When a conference committee report is filed, an amended digest indicating the changes made shall also be filed.

161. Deadline.

- 161.1 In the first regular session, no conference committee report is eligible for consideration after April 19.
- 161.2 In the second regular session, no conference committee report is eligible for consideration after February 28.
- 161.3 Upon recommendation of the Committee on Rules and Legislative Procedures, this rule may be suspended as to a specific bill by the approval of a constitutional majority.

162. Member Distribution. All reports of conference committees for adjustment of differences between the House and Senate together with a digest of the bill shall be filed with the Principal Clerk, provided for member distribution, and made available on the House computer network for the public as soon as practicable.

163. Time for Member Distribution.

- 163.1 During the first regular session, conference committee reports shall be provided for member distribution and held for twenty-four (24) hours after filing.
- 163.2 During the first regular session, the budget bill shall be provided for member distribution and held for twenty-four (24) hours after filing. This rule may not be suspended without a two-thirds (2/3) vote of the members of the House.
- 163.3 During the second regular session, conference committee reports shall be provided for member distribution and held for twenty-four (24) hours after filing.
- 163.4 Such reports shall then be placed before the House for action.

## H. ENROLLMENT

164. Copy Furnished to Author. A copy of each enrolled act shall be furnished to the author of the act at the time the author signs it to certify its accuracy.

Motion prevailed. The Rules were adopted.

### HOUSE MOTION

Mr. Speaker: I move that the motion to adopted Rules be amended as follows:

Between Rules 36 and 37, insert the following:

“36.5. Face masks/coverings. This rule only applies to the first regular session of the 122<sup>nd</sup> General Assembly due to a public health emergency. No member shall enter the chamber, the hall or any room where official House business is being conducted without properly wearing an appropriate face mask/covering. A member refusing to comply, shall face the remaining members who will determine whether a fine, censure or other penalty should be imposed.

PIERCE

Upon request of Representatives Pierce and GiaQuinta, the Speaker ordered the roll of the House to be called. Roll Call 2: yeas 28, nays 64. Motion failed.

### HOUSE MOTION

Mr. Speaker: I move that Joint Rules of the Senate and House of Representatives as shown in Exhibit A which is attached hereto and made a part hereof be hereby adopted as the Joint Rules of the 122<sup>nd</sup> Indiana General Assembly, and that a committee of four members of this House be appointed by the Speaker, who, together with the Speaker, shall constitute the Committee of Joint Rules and who shall confer with a like committee of the Senate to formulate any additions to or changes in the Joint Rules of the two Houses, which, in their discretion, may be necessary or desirable, and that the Principal Clerk is hereby instructed to inform the Senate of this action.

LEONARD

### EXHIBIT A

#### JOINT RULES FOR CONDUCTING BUSINESS IN THE TWO HOUSES OF THE GENERAL ASSEMBLY OF THE STATE OF INDIANA

1. After a bill or resolution has passed one house and before it shall be transmitted to the other house for further action, it shall be the duty of the author to furnish to the clerk of the house of origin a card bearing the name of the party selected as sponsor in the other house, which card shall be attached to the bill and transmitted therewith.

2. (a) After a bill or joint resolution shall have passed both houses it shall be duly enrolled on paper, and the clerk of the house where it originated shall certify over his or her signature upon the back thereof the house in which it originated, the dates upon which it passed the House and Senate, respectively, and the number of votes cast for and against it in each house.

(b) Every enrolled bill or joint resolution shall be printed in enrolled act form. The session of the General Assembly shall be indicated on the face of such printed enrollment. In the case of enrolled bills proposing to amend any then existing Indiana statute, the text shall reflect any change from the text of the then existing statute. This shall be accomplished by the use of bold face type to indicate the addition of new material to the text of the then existing statute, and cancelled type to indicate the deletion of existing material.

3. Every bill or joint resolution, after having been enrolled, shall be examined by the Committee on Rules and Legislative Procedures of the house in which it originated, which shall compare the enrolled copy with the engrossed copy, or cause the author thereof to do so, taking special care that the engrossed amendments adopted by either house, if any there be, shall have been properly incorporated in said enrolled copy and shall report in writing to said house any errors therein.

4. (a) Every bill or joint resolution reported to have been duly enrolled shall be signed by the Speaker of the House of Representatives and the President and President Pro Tempore of the Senate. After which, every bill shall be presented by the Secretary of the Senate or the Clerk of the House of Representatives to the Governor for his signature.

(b) Except as provided in this rule, all bills and joint resolutions shall be signed by the Speaker of the House of Representatives and the President of the Senate, in their houses respectively, when in session.

(c) During a recess period, the Speaker and the President of the Senate may sign bills and resolutions in their respective offices.

5. A record of all bills and resolutions signed, whether in session or during a recess, shall be kept in the Journals of each house.

6. When any paper or papers, proper to be acted upon by both houses, shall come before either, the house before which such paper or papers are laid shall, after acting thereupon, lay it or them before the other house.

7. (a) In every case of an amendment of a bill agreed to in one house, and dissented to in the other, either house may request a conference and appoint a committee for that purpose; the other house may also appoint a committee. A conference committee shall consist of two members from each house; one member from the house in which the bill or resolution originated shall be named as chairman by the appointing authority of the house of origination.

(b) Conferees shall state to each other verbally or in writing, as either shall choose, the reason of their respective houses for and against the amendment, and confer freely thereon and report to each house their proceedings thereon. Meetings of conference committees shall be held at a convenient hour agreed upon by the conferees and shall be open to the public, whenever feasible, in which event, notice shall be posted before such meeting in accordance with the rules of the house in which the bill originated. It is the intent of this joint rule to provide public access to the legislative process without hindering, intimidating or disrupting that process.

8. In all cases where the Doorkeeper of one house shall, by reason of official engagement, or other causes, be unable to execute the commands or process of the house of which he is an officer, it shall be the duty of the Doorkeeper of the other house to execute such commands, together with such process as may be directed to him by the presiding officer thereof.

9. A joint standing committee to be called the Committee on Joint Rules shall be appointed, to consist of four Senators, not more than two of whom shall be from the same political party, four Representatives, not more than two of whom shall be from the same political party, and the Speaker of the House of Representatives and the President Pro Tempore of the Senate, which last two officers shall be ex officio members of the Committee.

10. All joint conventions shall be held in the hall of the House of Representatives unless a different place shall be designated in the resolution by which such joint convention is convened. All such joint conventions shall be presided over by the President of the Senate, or if for any reason the President of the Senate be absent or decline to preside, then the President Pro Tempore of the Senate shall preside.

11. In all joint conventions and joint meetings of the two houses no business shall be transacted other than that for which they were assembled.

12. When a message is sent to the Senate or to the House of Representatives, it shall be delivered in written or electronic form to the Secretary of the Senate or the Clerk of the House, who shall deliver such message to the Chair.

13. Messages shall be sent by such persons as the President Pro Tempore of the Senate or Speaker of the House may designate for that purpose.

14. When bills which have passed one house are ordered to be printed in the other, a greater number of copies shall not be printed than may be necessary for the use of the house making the order.

15. This rule was deemed obsolete and removed in 2017.

16. Any proposed amendments to these rules shall be referred to the Committee on Joint Rules.

17. The Secretary of the Senate and the Clerk of the House of Representatives shall at the time of delivery of the enrolled acts and resolutions for the signature of the presiding officer leave with the minute clerk a copy of a written message setting out the numbers of the enrolled acts or resolutions so submitted.

18. A motion to recess for more than three days shall be deemed to have failed unless approved by a majority of the members elected in each house. Such majority shall be established by roll call vote.

19. The joint rules, upon adoption, shall govern the General Assembly for the term of that General Assembly unless suspended or amended.

20. If:

(1) two bills amending the same section of the Indiana Code are approved in the same session of the General Assembly, and neither bill recognizes the existence of the other;

(2) one bill amends a section of the Indiana Code and another bill repeals that section with an effective date preceding the effective date of the amendment; or

(3) two bills each add a new provision to the Indiana Code at the same code citation without either bill recognizing the addition made by the other and both bills are approved in the same session of the General Assembly;

one of the two bills may be corrected at enrollment to recognize the existence of the other by the Committee on Rules and Legislative Procedures of the House of Representatives and the Committee on Rules and Legislative Procedure of the Senate. However, a correction under this rule is limited to the extent necessary to resolve the technical conflict and may not be made unless the report of each of the two committees includes the written consent of the respective committee's ranking minority member. In addition, the committee report in each house must include the written consent of the corrected bill's author or sponsor, as the case may be, in that house. A technical conflict is one that does not change the substance of either bill. It is at the discretion of both the Committee on Rules and Legislative Procedures of the House of Representatives and the Committee on Rules and Legislative Procedure of the Senate as to whether a conflict is technical.

21. If a bill is passed which clearly expresses the intent that a SECTION thereof becomes effective on a date other than the standard statutory effective date set forth in the Indiana Code, but does not use the technical emergency provision for such effective date, then the Rules and Legislative Procedures Committee of the House of Representatives and the Rules and Legislative Procedure Committee of the Senate may correct the bill at enrollment to include the technical emergency provision for the expressed effective date. For the correction to be made, each house must adopt a committee report setting forth the correction and containing the written consent of the Chairperson and ranking minority member of the Rules Committee of that house and the author or sponsor of the bill in that house.

Motion prevailed. The Joint Rules were adopted.

## HOUSE MOTION

Mr. Speaker: I move that a committee of four (4) members of this House be appointed by the Speaker to notify the Senate that the House of Representatives has met, formed a quorum, and is now prepared to proceed with legislative business and to receive any communications which the Senate may transmit.

LEHMAN

Motion prevailed. The Speaker appointed Representatives Rowray, Davis, Andrade and Pack

## COMMITTEE REPORT

Mr. Speaker: Your committee which was appointed by the Speaker to notify the Senate that the House has met, has formed a quorum, has organized by the election of its officers and is prepared to proceed with the legislative business to receive any communications which the Senate may transmit, respectfully reports that it has performed the duties assigned.

ROWRAY  
DAVIS

ANDRADE  
PACK

Committee of the House

Report adopted.

## HOUSE MOTION

Mr. Speaker: I move that a committee of four (4) members of this House be appointed by the Speaker to act with a like committee of the Senate to wait upon the Governor and to notify him of the organization of both Houses of the General Assembly and to inform him that General Assembly is ready for the transaction of legislative business.

LEHMAN

Motion prevailed. The Speaker appointed Representatives Ledbetter, Payne, M. Bauer and Gore

## COMMITTEE REPORT

Mr. Speaker: Your committee which was appointed to act with a like committee of the Senate to wait upon the Governor, to notify him of the organization of both Houses of the General Assembly, and to inform him that they are ready for the transaction of legislative business, begs leave to report that they have performed the duties assigned.

LEDBETTER  
PAYNE

M. BAUER  
GORE

Committee of the House

Report adopted.

## HOUSE MOTION

Mr. Speaker: I move that the Speaker of the House of Representatives be authorized to appoint a select committee composed of three (3) members of the Majority Party, one of whom shall be named as Chair, and three (3) members of the Minority Party to receive the report of the State Recount Commission, or complete the hearings and recounts or contests if they are not substantially complete and to judge the elections, qualifications, and returns of the members of the House of Representatives. Further, that the Select Committee have the authority to conduct its business and to report on recounts and contests according to this motion.

- A. The Select Committee shall meet upon the call of the Chair and shall conduct recounts or judge the elections, qualifications and returns of any member, or both. A quorum shall consist of three (3) members.
- B. The Chair of the Select Committee shall have the authority to order the impoundment of ballots, voting machines, computers, and any other documents and records concerning matters before the committee.
- C. The Chair of the Select Committee shall have the authority to subpoena any person or ballots, voting machines, computers, and any and all documents or records concerning matters before the committee.
- D. All notices, orders or subpoenas issued by the Select Committee may be served in any manner or through any person as authorized by the Chair of the Select Committee.
- E. Subject to the approval of the Speaker, the Chair of the Select Committee shall have the authority to employ any person to assist in making a recount or contest and to judge the election, qualifications, and returns of any member.

- F. No bond shall be required of nor costs assessed against any party concerning a recount petition or contest.
- G. The House Majority Attorney and the House Minority Attorney shall serve as counselors to the Select Committee.
- H. Each party to a recount petition or contest may be present or may have one (1) watcher present during the recount or determination of the contest.
- I. The Select Committee shall report its findings to the House of Representatives. If there be a minority report or, if the Select Committee be evenly divided, then there may be more than one report.

Further, I move that any petition for recount and cross petitions and any contest not timely filed with the Secretary of State under IC 3-12-11 or not stating one of the grounds set out therein will not be considered by the Select Committee or the House.

Further, I move that the Select Committee shall have all of the power necessary or appropriate to investigate any timely filed petition for recount and cross petition and any contest and report to the House of Representatives in order to allow the House to discharge its responsibilities under Article 4 of the Constitution of the State of Indiana.

STEUERWALD

Motion prevailed.

## RESOLUTIONS ON FIRST READING

## Senate Concurrent Resolution 2

The Speaker handed down Senate Concurrent Resolution 2, sponsored by Speaker Huston:

A CONCURRENT RESOLUTION to allow the Senate and the House of Representatives of the 122nd Indiana General Assembly to adjourn and recess separately throughout the First Regular Session for periods in excess of three (3) consecutive days as the need, in the judgment of the President Pro Tempore of the Senate and the Speaker of the House of Representatives, respectively, may arise.

*Whereas, The Indiana Senate and the House of Representatives met for the purpose of organization of each House and to conduct the public business of the people of the State of Indiana;*

*Whereas, The Indiana Senate and the House of Representatives shall operate on their own respective schedules, having been separated from each other pursuant to IC 2-2.1-1-2;*

*Whereas, During the consideration of legislative business, each House may, in the respective judgment of the President Pro Tempore of the Senate and the Speaker of the House of Representatives, deem it necessary to adjourn and recess for periods in excess of three (3) consecutive days and to operate on a schedule different from the other House;*

*Whereas, Article 4, Section 10 of the Constitution of the State of Indiana states that neither House shall, without the consent of the other, adjourn for more than three (3) consecutive days;*

*Whereas, Each House desires to consent to any adjournment or recess by the other House which might last more than three (3) days during the First Regular Session of the 122nd General Assembly; and*

*Whereas, The Senate and the House of Representatives intend to recess after November 17, 2020, and meet again on January 4, 2021, to conduct legislative business: Therefore,*

*Be it resolved by the Senate  
of the General Assembly of the State of Indiana,  
the House of Representatives concurring:*

SECTION 1. That each House of the 122nd Indiana General Assembly hereby consents to any adjournment or recess of the other House during the First Regular Session of the 122nd Indiana General Assembly for a period in excess of three (3) days, where such recess or adjournment is approved, in the case of the Senate, by the President Pro Tempore of the Senate, or, in the case of the House of Representatives, by the Speaker of the House of Representatives.

SECTION 2. The Secretary of the Senate is directed to inform the House of Representatives of the passage of the Resolution

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

#### HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until January 4, 2021, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

#### OTHER BUSINESS ON THE SPEAKER'S TABLE

##### MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 2 and the same is herewith transmitted to the House for further action.

JENNIFER L. MERTZ  
Principal Secretary of the Senate

##### MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has adopted the following motion:

"I move that Senators Niemeyer, Buchanan, Ford J.D., and Melton be appointed as a committee of four members of the Senate to act with a like committee of the House of Representatives to wait upon the Governor and to notify him of the convening of both Houses of the General Assembly and to inform him that they are ready for the transaction of legislative business and to learn from him when it will suit his convenience to submit whatever communication he may have to offer to the General Assembly."

JENNIFER L. MERTZ  
Principal Secretary of the Senate

##### MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has adopted the following motion:

"I move that Senators Messmer, Crider, Taylor G, and Melton be appointed as a Committee of the Senate who, together with the President Pro Tempore as ex officio member, shall constitute a Committee on Joint Rules, and who shall confer with the like Committee of the House of Representatives to formulate any additions to or changes in the Joint Rules of the two Houses which, in their discretion, may be necessary or desirable."

JENNIFER L. MERTZ  
Principal Secretary of the Senate

##### MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has adopted the following motion:

"I move that Senators Becker, Gaskill, Qaddoura and Yoder be appointed as a committee of four members of the Senate to notify the House of Representatives that the Senate has met, has formed a quorum, has organized by the election of the following named officers:

President Pro Tempore: Rodric Bray

Principal Secretary: Jennifer L. Mertz

and is now prepared to proceed with legislative business and to receive any communications which the House of Representatives may transmit. Senator Becker shall serve as Chair of the Committee."

JENNIFER L. MERTZ  
Principal Secretary of the Senate

##### MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has adopted the Joint Rules of the Senate and House of Representatives as shown in Exhibit A which is attached hereto.

JENNIFER L. MERTZ  
Principal Secretary of the Senate

On the motion of Representative Olthoff, the House adjourned at 3:10 p.m., this seventeenth day of November, 2020, until January 4, 2020, at 1:30 p.m.

TODD M. HUSTON  
Speaker of the House of Representatives

Caroline Spotts  
Principal Clerk of the House of Representatives